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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,512	11/13/2000	Yoshihisa Usami	Q60499	4483

7590

07/01/2003

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EXAMINER

VARGOT, MATHIEU D

ART UNIT

PAPER NUMBER

1732

6

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/709,512

Applicant(s)

USAMI

Examiner

M. VARGAS

Group Art Unit

1732

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 4/10/03
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-17 is/are pending in the application.
- Of the above claim(s) 1 + 8-10 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 2-7 + 11-17 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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1. Applicant is requested to cancel non-elected claims 1 and 8-10 to expedite prosecution.

2. Claims 2-7 and 11-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 has been amended to recite "alternately arranging...on one feed mechanism" and this is indefinite in that it is unclear what relationship, if any, the "feed mechanism" has to the subsequent step of cooling. There is a general lack of nexus in the processing steps as set forth which renders the metes and bounds of the claim uncertain. Ie, doe the feed mechanism feed the substrates to a cooling operation? Exactly to what/where does the feed mechanism feed to?

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-7 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as set forth at page 1, and page 2, line 17 through page 3 of the instant specification in view of Slater et al (col. 6, lines 24-30) generally for reasons of record noting the following. While the prior art may indeed suggest that the disks be cooled on independent lines, Slater et al teaches removing molded disks one at a time--ie, alternately-- and transferring these to a cooling rotary table using a single removal mechanism (50). Since one removal arm is all that is needed to take out a single molded disk, it would have been obvious to one of ordinary skill in the

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art at the time of invention to have modified the admitted prior art by employing a feed mechanism to transfer molded disks alternately to the cooling table as shown by Slater et al. The rotary table itself constitutes a feed mechanism (when the individual disks are initially placed thereon) and a subsequent cooling means when the disks pass through the cooling gas area. The spacing between the disks is taught at col. 4, line 62 to be .120-.350 inches, which would be a pitch of 6-8+ times the thickness of each individual disk. The substrates are still hot when transported to the cooling chamber and the exact temperature of the disks would have been well within the skill level of the art dependent on degree of in-mold cooling afforded to the process.

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

It is submitted that the arrangement of Slater et al allows for a more uniform cooling since the disks are all cooled on one cooling path and are supplied thereto by one feed mechanism. One of ordinary skill in this art knows that a consistent heat/cooling history for each molded disk would provide disks of more consistent optical and mechanical properties.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Vargot whose telephone number is 703 308-2621.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

M. Vargot

June 29, 2003

**MATHIEU D. VARGOT
PRIMARY EXAMINER
GROUP 1300**